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September 9, 2009

[Koschitzki v. Apple Inc. et al](#)

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Honorable Frederic Block
United States District Judge
U.S. District Court
Eastern District of New York
225 Cadman Plaza East
Brooklyn, New York 11201

RE: Schultz v. Tribune Company, Inc., et al.
Docket No. 06 cv 4800
Our File No. 2596

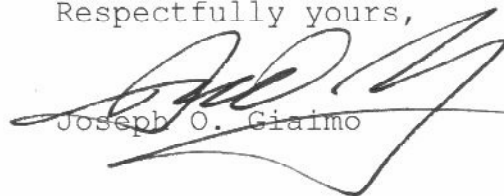
Dear Judge Block:

As attorneys for plaintiff in the above-entitled matter we reply to the defendants' attorney's letter of August 26, 2009 in opposition to our request for a pre-motion conference prior to a motion to amend the complaint to include a cause of action under Title 5 U.S.C. §2302(b)(8) i.e., the "Whistle Blower."

We extend our most sincere apologies for any waste of judicial resources or time resulting from our oversight in mistakenly citing the Federal Whistle Blower law rather than New York State Whistle Blower-law which actually has an expired one year statute of limitations.

Accordingly, we withdraw our request for a pre-motion conference and await a decision on the defendants' motion for summary judgment.

Respectfully yours,



Joseph O. Giaimo

JOG/lmp

cc: Eric Hoffman, Esq.